

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

Cheryl A. Davidson,)	
)	
Plaintiff,)	C.A. No. 7:04-928-HMH-BHH
)	
vs.)	OPINION & ORDER
)	
James Taylor, City Administrator; John)	
O'Donald, Chief of Police; and Darrell)	
Betsill, S.L.E.D. agent,)	
)	
Defendants.)	

This matter is before the court with the Report and Recommendation of United States Magistrate Judge Bruce H. Hendricks, made in accordance with 28 U.S.C. § 636(b)(1) and Local Rule 73.02 DSC.¹ Cheryl A. Davidson (“Davidson”), proceeding pro se, filed an action which has been construed as one brought under 42 U.S.C. § 1983. In her Report and Recommendation, Magistrate Judge Hendricks recommends granting Darrell Betsill’s (“Betsill”) motion to dismiss and James Taylor (“Taylor”) and John O’Donald’s (“O’Donald”) motion for summary judgment.

Davidson filed objections to the Report and Recommendation. Objections to the Report and Recommendation must be specific. Failure to file specific objections constitutes a

¹ The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

waiver of a party's right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. See United States v. Schronce, 727 F.2d 91, 94 & n.4 (4th Cir. 1984). In the absence of specific objections to the Report and Recommendation of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

Upon review, the court finds that Davidson's objections are non-specific and do not address the dispositive portions of the Magistrate Judge's Report and Recommendation. Therefore, after a thorough review of the Magistrate Judge's Report and the record in this case, the court adopts the Magistrate Judge's Report and Recommendation.

Therefore, it is

ORDERED that Betsill's motion to dismiss, Document number 17, and Taylor and O'Donald's motion for summary judgment, Document number 30, are granted.

IT IS SO ORDERED.

s/ Henry M. Herlong, Jr.
United States District Judge

Greenville, South Carolina
August 9, 2005

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that she has the right to appeal this order within thirty days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.